

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

SHAOHUA (MICHAEL) YIN,

Defendant, and

LIZHAO SU, ZHIQING YIN, JUN QIN,
YAN ZHOU, BEI XIE, and CHAOFENG JI,

Relief Defendants.

Case No.: 1:17-cv-972-JPO

**SECOND ORDER MODIFYING PRELIMINARY INJUNCTION TO RELEASE
FUNDS FOR SPECIAL MASTER FEES AND EXPENSES**

WHEREAS, on March 23, 2017, this Court entered a Preliminary Injunction Order on Consent (ECF No. 27) (the “Preliminary Injunction”) freezing all funds in each of five (5) Interactive Brokers accounts belonging to Relief Defendants Lizhao Su, Zhiqing Yin, Jun Qin, Yan Zhao and Bei Xie, respectively (the “IB Accounts”);

WHEREAS, on July 2, 2021, this Court entered an Order of Appointment (ECF No. 262) (the “Special Master Order”) appointing Joshua Larocca as Special Master and, *inter alia*, setting forth provisions governing the Special Master’s compensation;

WHEREAS, on August 9, 2021, the Special Master filed his Initial Report (ECF No. 265), setting forth an estimate of \$109,850 (the “Estimate”) to carry out the work described in the Special Master Order;

WHEREAS, on August 13, 2021, the Special Master informed the parties that he had established an account at JPMorgan Chase Bank, N.A., NY with the Account No.

XXXXX3175 (the “Special Master Account”) for receipt of the Estimate amount, as contemplated by ¶ 20 of the Special Master Order;

WHEREAS, the Special Master Order, also at ¶ 20, directs the parties to “jointly prepare a Proposed Order directing the release of sufficient funds from [the IB Accounts] to compensate the Special Master for the entirety of the Estimate, and directing such funds to the [Special Master] Account”;

WHEREAS, the Special Master Order, at ¶ 19, sets forth a schedule requiring the Special Master to be compensated from each of the IB Accounts on a pro rata basis;

WHEREAS, on August 19, 2021, the parties jointly submitted a Proposed Order directing the release of sufficient funds from the IB Accounts to compensate the Special Master for the entirety of the Estimate, and directing such funds to the Special Master Account (ECF No. 266);

WHEREAS, on August 20, 2021, this Court entered an Order modifying the Preliminary Injunction (ECF No. 27) and directing the release of sufficient funds from the IB Accounts to compensate the Special Master for the entirety of the Estimate (ECF No. 267); and

WHEREAS, on November 24, 2021, the Special Master filed his Second Revised Initial Report (ECF No. 269), setting forth an estimate of \$222,850 (the “Revised Estimate”) to carry out the work described in the Special Master Order, an increase of \$113,000 over the Estimate;

IT IS HEREBY ORDERED that the Preliminary Injunction (ECF No. 27) is modified as follows:

1. Funds in the amount of \$48,590 held in Interactive Broker Account No. UX9828 in the name of Relief Defendant Su are released and shall be paid directly to the Special Master Account;
2. Funds in the amount of \$49,720 held in Interactive Broker Account No. UX9198 in the name of Relief Defendant Z. Yin are released and shall be paid directly to the Special Master Account;
3. Funds in the amount of \$9,040 held in Interactive Broker Account No. UX8920 in the name of Relief Defendant Qin are released and shall be paid directly to the Special Master Account;
4. Funds in the amount of \$3,390 held in Interactive Broker Account No. UX1566 in the name of Relief Defendant Zhou are released and shall be paid directly to the Special Master Account;
5. Funds in the amount of \$2,260 held in Interactive Broker Account No. UX3862 in the name of Relief Defendant Xie are released and shall be paid directly to the Special Master Account.

IT IS SO ORDERED this 3rd day of February 2022.



J. PAUL OETKEN
United States District Judge